

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SAMMY RODGERS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 21-858
)	
MIDLAND CREDIT MANAGEMENT, INC.,)	
Defendant.)	
)	

CASE MANAGEMENT ORDER

AND NOW, this 24th day of May, 2022, an initial case management conference having been held pursuant to Fed. R. Civ. P. 16 and Local Rule 16.1, it is hereby ORDERED that the parties adhere to the following case management order:

Discovery Schedule

1. Initial disclosures required by Rule 26(a) of the Federal Rules of Civil Procedure will be made by **June 3, 2022**. If any party is dissatisfied with the Rule 26(a)(1) disclosures (i.e., if a party has failed to fully produce the actual documents), the dissatisfied party(ies) shall file a Motion to Compel within **seven (7) days** of that date. Any responses are due ten (10) days after said motion. The parties shall supplement their Rule 26(a) disclosures, as required, under Rule 26(e).

2. Fact discovery shall be completed by **September 30, 2022**. The discovery deadline shall be extended only by leave of court, and upon motion filed prior to the expiration of such deadline. The motion shall: (a) specify discovery which has been completed; (b) state reasons for the requested extension; (c) list any previous extensions of discovery; and (d) attach a proposed order which establishes specifically the extended pretrial schedule being requested. Any such motion shall contain a certificate of conferral as required by Local Rule 16.1.B.3.

Upon the completion of fact discovery, the Court shall conduct a Telephone Post Fact Discovery Status Conference. Said conference will occur on **Tuesday, October 4, 2022 at 4:30 p.m.** The Court will initiate said conference call.

3. The parties shall meet and confer and file Joint Discovery Status Reports by April **July 15, 2022** and **September 26, 2022** specifically detailing all discovery which has been completed to date (including depositions, document productions and written discovery) and all discovery which remains outstanding or is anticipated prior to the closure of the discovery period.

4. The deadlines for expert discovery, if any, including the filing of expert reports and the taking of expert depositions, shall be set at the Telephone Post Fact Discovery Status Conference. The expert discovery deadline shall be extended only by leave of court, and upon motion filed prior to the expiration of such deadline.

5. The total number of written interrogatories, requests for production and requests for admission, including subparts, submitted by a party to another party shall not exceed 25.

6. The parties may exceed ten (10) total depositions in this matter for good cause shown.

7. Discovery materials shall not be filed with the Clerk consistent with Federal Rule 5(d) and Local Rule 5.4.A. However, if such material is necessary to the Court's review of any motion, relevant portions only shall be included with the motion or opposition, or filed separately as an appendix. Courtesy copies are to be delivered to the Court concurrent with their filing.

8. Pursuant to Local Rule LCvR 16.1.D., and to aid in the implementation of Fed. R. Evid. 502, the parties have agreed to the entry of the standard Order Implementing Rule 502, which will be entered separately by the Court.

9. Discovery motions shall comply with Local Rule 7 and all rules enumerated therein, together with a memorandum of law, and include a certification that counsel have met and conferred regarding the disputed issues. The responding party shall file its response within five (5) days of receipt of said motion, excluding weekends and holidays. All memoranda on discovery issues shall be limited to five (5) pages. No reply briefs are permitted. Argument over contested discovery motions will be scheduled as appropriate.

Motions to Amend or Add New Parties

10. Any motions to amend pleadings shall be filed by **June 24, 2022**. Any motions to join additional parties shall be filed by **June 24, 2022**. The responding party shall file its response within five (5) days of receipt of said motion, excluding weekends and holidays. No reply briefs are permitted.

Non-Dispositive Motions

11. Miscellaneous motions shall be limited to five (5) pages. The response to any miscellaneous motion shall be filed within ten (10) days of receipt of said motion, excluding weekends and holidays, and be limited to five (5) pages. No reply or sur reply briefs are permitted without leave of Court. Argument shall be scheduled as deemed necessary.

Summary Judgment Motions

12. The Court will establish a schedule for the filing of summary judgment motions upon the completion of all discovery in this case. Motions for summary judgment shall be accompanied by a memorandum of law, not to exceed twenty (20) pages. The responding party shall file its responsive memorandum, not to exceed twenty (20) pages and any supporting evidentiary material within thirty (30) days. All argument in support of or opposition to a motion for summary judgment shall be set forth in the accompanying memorandum of law and

shall not be included in the motion itself. Reply briefs are permitted, and must be submitted within ten (10) days of service of the response and are not to exceed ten (10) pages. No further submissions, such as a sur reply, will be permitted without leave of court and will be limited to five (5) pages, if leave is granted.

13. Any motion for summary judgment and opposition thereto shall conform to the requirements of Local Rule 56.

Pretrial Matters

14. If a motion for summary judgment is filed, pretrial narratives need not be filed until ordered by the court. In addition, no pretrial conference will be scheduled until the court has disposed of any motions for summary judgment.

15. If no motions for summary judgment are filed, the Court will establish dates for the filing of plaintiff's pretrial narrative and defendant's pretrial narrative at the Post Discovery Status Conference. The pretrial narratives shall conform to the requirements of Local Rule 16.1.C.

Trial Term

16. The date of trial in this matter depends on whether the parties file dispositive motions. Accordingly, at the appropriate time, and if necessary, the Court will set a trial date.

s/Nora Barry Fischer
Nora Barry Fischer
Senior U.S. District Judge

cc/ecf: All counsel of record